

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

CHARLIE SHARP and BETTY SHARP, wife
and Next Friend of Charlie Sharp

PLAINTIFFS

VS.

CASE NO. 06-CV-4072

CONTINENTAL BATTERY COMPANY

DEFENDANT
THIRD-PARTY PLAINTIFF

VS.

JOHNSON CONTROLS, INC.

THIRD-PARTY DEFENDANT

ORDER

Before the Court is a Motion for Summary Judgment filed on behalf of Defendant Continental Battery Company on March 26, 2007. (Doc. 28). Third-Party Defendant Johnson Controls, Inc., has adopted Continental Battery Company's Motion for Summary Judgment. (Doc. 34). Plaintiffs have responded. (Doc. 39). The Court finds the matter ripe for consideration.

In their response, Plaintiffs state that they do not wish to oppose the Motion for Summary Judgment. Accordingly, the Court finds that the Motion for Summary Judgment should be and hereby is **GRANTED**. Plaintiffs claims against Continental Battery Company are **DISMISSED**.

IT IS SO ORDERED, this 30th day of May, 2007.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge